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Special Edition re SCOTUS

10:00 a.m." United States Supreme Court (SCOTUS) has found the US Constitution requires all states to legalize so-called same-sex marriage.

Justice Anthony Kennedy's arguments for the majority:

"The generations that wrote and ratified the Bill of Rights and 14th Amendment did not presume to know the extent of freedom . . . they entrusted to future generations a charter protecting the right of all persons to enjoy liberty as we learn its meaning."

"The limitation of marriage to opposite-sex couples may long have seemed natural and just, but its inconsistency with the central meaning of the fundamental right to marry is now manifest."

"(I)n interpreting the Equal Protection Clause, the Court has recognized that new insights and societal understandings can reveal unjustified inequality . . ."

Chief Justice John Roberts dissenting arguments include

"(T)his Court is not a legislature. Whether same-sex marriage is a good idea should be of no concern to us. Under the Constitution, judges have power to say what the law is, not what it should be."

"Although the policy arguments for extending marriage to same-sex couples may be compelling, the legal arguments for requiring such an extension are not. The fundamental right to marry does not include a right to make a State change its definition of marriage."

"Allowing unelected federal judges to select which unenumerated rights rank as "fundamental"—and to strike down state laws on the basis of that determination—raises obvious concerns about the judicial role."

Dr. Scott Lively noted, "The decision is illegitimate on its face because Justices Ginsberg and Kagan were disqualified from voting under the fundamental rules of judicial ethics because they each performed same sex "weddings" during the period of deliberations when the parties were legally entitled to impartiality by the jurists."

The Institute for Religion and Democracy:

"As The Church has for 42 years rallied ongoing resistance to the court's Roe vs. Wade invention of a right to unrestricted abortion, so The Church must resist the court's attempt to claim authority over the definition of marriage."

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Publication of the AFA of PA,
P.O. Box 1048, Franklin, PA
16323

Phone: 814-271-9078

Fax: 814-437-5432

Website: <http://afaofpa.org>